

REMARKS

Applicant appreciates the thorough review by the Examiner, as well as the Examiner's time associated with the telephone interview on February 14, 2006. Applicant also appreciates the Examiner's indication that claims 5, 6, and 13 include allowable subject matter, and would be allowable if rewritten in independent form including all of the limitations of their respective base claims and any intervening claims. Applicant amended claim 1 to include the limitations of claims 4 and 5, and amended claim 6 to depend from amended claim 1 rather than now canceled claims 4 and 5.

The Examiner rejected claims 1-4 and 7 under the provisions of 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,087,547 to Raulins et al. (hereinafter "Raulins" or "the Raulins patent"). Applicant respectfully submits that claims 1-3 and 6-7 are all allowable as claim 1 now contains the allowable subject matter from allowable claim 5 and intervening claim 4.

The Examiner also rejected claims 8-12 and 14-21 under the provisions of 35 U.S.C. §102(e) as being anticipated by Wong et al. As discussed with the Examiner during the telephone interview of February 14, 2006, one skilled in the art would not use the tool in Wong during production operations because mandrel 38 extends through and effectively renders valve assemblies 22, 26 inoperable while mandrel 38 is in the position shown in Figure 3 of the Wong patent. Accordingly, Applicant respectfully submits that method claim 19, and its respective dependent claims 20-21, are not anticipated because Wong fails to show the transmitting of the production fluid, and the diverting of the production fluid method steps included in claim 19. Therefore, Applicant respectfully requests that the Examiner remove the rejections of claims 19-21 based upon the Wong patent.

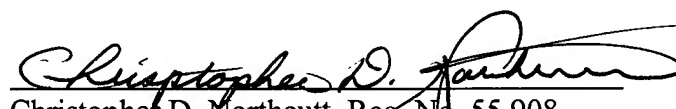
Applicant also amended claims 8 and 17 so that the production fluid flows around at least a portion of the tubing hanger to reach the at least one diverter port. As discussed with the Examiner during the telephone interview on February 14, 2006, Wong fails to disclose this feature. Accordingly, Applicant respectfully submits that claims 8-18 are patentable, and respectfully requests that the Examiner remove the rejections of claims 8-18 based upon the Wong patent.

CONCLUSION

Applicant respectfully submits that remaining claims 1-3 and 6-21 are all in condition for allowance. Reconsideration of the application and allowance of all claims are respectfully requested, and Applicant respectfully requests the issuance of a Notice of Allowance.

Respectfully submitted,

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